

***Remarks***

Upon entry of the foregoing amendment, claims 1 and 61-84 are pending in the application, with claims 1, 61 and 82 being the independent claims. Claims 2-60 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. New claims 61-84 are sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Support for the amendments to the specification is found in the attached copy of the ATCC receipt. Support for new claims 61-84 can be found throughout the specification.

***Conclusion***

Prompt and favorable consideration of this Preliminary Amendment is respectfully requested. Applicants believe the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

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# ATCC

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**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE**

*INTERNATIONAL FORM*

**RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2**

To: (Name and Address of Depositor or Attorney)

Human Genome Sciences, Inc.  
Attn: James H. Davis, Esq.  
9410 Key West Avenue  
Rockville, MD 20850

Deposited on Behalf of: Human Genome Sciences, Inc.

Identification Reference by Depositor:

Hybridoma cell line: XF27/28/CCR5 7D5-AA  
Hybridoma cell line: XF27/28/CCR5 18B5-AA  
Hybridoma cell line: XF27/28/CCR5 25G10-AA  
Hybridoma cell line: XF27/28/CCR5 36A12-AA  
Hybridoma cell line: XF27/28/CCR5 36F11-AA  
Hybridoma cell line: XF27/28/CCR5 43E2-AA  
(Ref: Docket or Case No.: PF189PP6)

Patent Deposit Designation

PTA-4049  
PTA-4050  
PTA-4051  
PTA-4052  
PTA-4053  
PTA-4054

The deposits were accompanied by:    a scientific description, a proposed taxonomic description indicated above. The deposits were received February 1, 2002 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:   X   We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

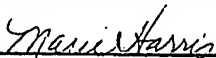
If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested February 14, 2002. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

  
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Marie Harris, Patent Specialist, Patent Depository

Date: February 26, 2002